Tribune.

Vol. XXVI No. 7,969.

THE TROUBLE IN MARYLAND.

men of good character and of undenbted lovalty, and that until the said memorial we had not received a single complaint against any judge of elections, and it has not been a purpose on our part to select only judges who agreed with the commissioners denoted by the select only judges who agreed with our part to select only judges of partisan proposed agreement of the selection of the se

ioners for the removal of the Police Commissionng, and the counsel for the Commissioners by boat,

For efficial misconduct any of seid Commissioners may be removed by a concurrent vote of the two Homes of the General Assembly, or by the Governor during the receast three gives to your Excellency, an we respectfully suggest, no power to try as for official misconduct, nor to pronounce us guilty thereof. Official misconduct is a criminal offensed known to and defined by the laws of the hand by that title, and, as such, subject to indictinent and correction by the verdict of a jury. When convicted of official misconduct is a criminal offensed known to and defined by the proper tribunal of the State we admit the power of the General Assembly, or the Governor, in the recess thereof, to remove us or either of us who shall have been previously convicted. Without such indictment and conviction we admit no right in your Excellency or the General Assembly to remove us, nor can we consent to present evidence to contradict the affidavits to which you refer, for the reason that we cannot submit to be tried for a crime before an executive officer who, we believe and are advised, has no submit to try us. The Bill of Bights of the State asserts that the legislative, executive and judicial powers of Government ought to be forever separate and distinct from each other, and no person exercising the functions of one of said Departments shall assume or discharge the duties of any other. If official misconduct he an indictable offices, over which the Judicial Department of the State has jurisdiction, and to prevent which is the duit of that Department, your Excellency, in assuming to try us for that offense, will be, in the very teeth of the fundamental law, assuming and discharging the duties of another Department of the Government. The Act of 1862, clap, 121, gives the Government, our excentive of the fundamental law of the constitution, to which the General Assembly and the Government of removing the duties of another Department of the Government. The Act of 1862, clap, 121, gives the Government of the constitution, to which th

After detailing the facts in regard to the appointments of Judges and clerks of election, showing that no recommendation of candidates for those offices had been made by the opposition, they say:

On the 29th of September, after all the commissions had been sent out, Mr. Harvey, the candidate for Mayor. Mr. Lynch, and two or three other candidates, called and asked about the selection of Judges, expressing a desire that one Judge in each Precinct should be appointed from among them, the supporters of Mr. Harvey. They were informed that the commissions had been sent out, that the Board had carefully selected citizens of good, character, and that they would not displace those commissioned, but that, if veanneless occurred, they were men of good character, registered voters of jeed, and had been loyal during the war. At the time of this interview the first and only request was made to the Board in relation to Election. Mr. Harvey was told that they should be acceptable to the judges and the Board and been in the habit of appointing on the nomination of the Judges, that the Board would prefer that Mr. Harvey wishess should be acceptable to the judges and the Board had been in the habit of appointing on the nomination of the Judges, that the Board would prefer that Mr. Harvey wishess should be greathed, and they requested him to propose to the Judges persons acceptable to him, and the Board would appoint them unless the Judges made personal objection to them. The Board was not bound to make selections of Judges or Clerks be distribution among political parties, the easy requirement of the law being that we should select discreet persons who were qualified voters. We did select discreet persons who were qualified voters. We did select discreet persons who were qualified voters. We did select discreet persons who were qualified voters. We did select discreet persons who were qualified voters. We did select discreet persons who were calculated in our choice to the registered voters of 1865, and we selected the judges c propose to the Jadges persons acceptable to him, and the Board would appoint them unless the Jadges made personal objection to them. The Board was not bound to make selections of Jadges or Cherks be distribution among political parties.

BALTIMOR, Oct. 22.—The following proclamation has to night been issued by Gov. Swan:

BALTIMOR, Oct. 22.—The following proclamation has to night been issued by Gov. Swan:

State of Markland, Evecutive Department of the law being that we should select discreet persons who were qualified voters. We did select discreet persons who were qualified voters. We did select discreet persons who were qualified voters. It has come to the knowledge of the Executive that selected the judges carefully, and in the same manner as at the deciden of the pressure Governor of the State; many of them persons design the same persons who served at that selection. Many of them served very reluctantly, and telepton. Many of them served very reluctantly, and telepton while the same persons who served at that selecting discreet persons we are not subject to review, and the continual served very reluctantly, and telepton distribution in a selecting discreet persons we are not subject to review and the continual served very reluctantly, and telepton distribution in the same persons to be a repaired in other piaces with the intensity of the proposed action of action against them.

Whereas, there is reason to believe that incline and the commissioners, and is a confession of the programment of the movement against the Commissioners, and is a confession of the programment. It is reported on very good authority to-day that the Governor, although desirons of the programment. It is reported on very good authority to-day that the Governor of the programment.

Whereas, there is reason to be a proposed and the calculation of property, lacks the nerve to commissioners and the commissioners are the commissioners and the commissione

NEW-YORK, TUESDAY, OCTOBER 23, 1866.

There has been considerable excitement in the city to-day in reference to the action of the Police Commissioners. Upon the announcement of the fact that the Governor maintained his jurisdiction in the case and his determina-tion to investigate and try the charges of official miscon-duct some slight manifestations of excited feeling took

the uncondition party. Nothing more serious than this slight affair has occurred, however, and there is at present no reason to expect that the public peace will be disturbed

To a casual observer there is but little evidence of excitement here or any particular indication of serious inquiry into the determination of the loyal portion of the citizens, however, reveals an earnest purpose on their part to resist even to the bitter end any forcible attempt on the ng the war, was unremitting in its efforts to place the

ondition of things, here to briefly state the facts which ave preceded and led to the existing complication. It is known to the country that after the successful efforts of the National Government and the loyal people of this

right of suffrage.
Under this Constitution, which was adopted by a

subsequently withdrew.
Gov. Swam said:
The Governor has duly considered that question of jurisdiction, and he has arrived at the conclusion that it is in the power of the Governor, under the express provisions of the law, during the recess of the Legislature to take up the case of delinquent efficers if proved to be delinquent and to dispose of it under the power vested in him by the act of the Legislature. He therefore decides that he has the power to examine into this case and to ascertain the status of these officers.

Mr. Alexander them said:
I feel it to be my duty now to say that such being the determination of your Excellency, our mission as counsel ends, and we ask permission to retire.

After the departure of the counsel for the Commissioners, upon consultation between the Governor and counsel for the petitioners, it was decided to proceed with the investigation of the charges on Wednesday next, which was subsequently changed to Friday.

The commissioners will take no further notice of the proceedings, but act upon their theory of want of jurisdiction on the part of the Governor, and if it is decided to remove them resist such action by all the means in their power.

After consultation with the counsel for the petitioners

and law abiding citizens.

We remain, respectfully, your obedient servants.

Nenotas L. Woon, Santal, Hissus,
At the conclusion of the reading of the address, Mr.
Schley, one of the counsel for the petitioners, addressed
the Governor, reflecting upon the course taken by the
commissioners in denying the jurisdiction of the Governor,
and at the same time pleading not guilty and stating
that they are ready to argue the question of jurisdiction. There was also some sparring between the counsel in regard to alleged discourtesy toward the Governor,
in the latter part of the reply, which charge Mr. Schley
subsequently withdrew.

After consultation with the counsel for the petitioners the Governor appointed Wednesday next to try the case when witnesses will be summoned to appear.

LATER.

The case of the Police Comm ssioners has been post-

The case of the Police Commissioners has been postponed till Friday.

Gen. Canby, commander of the Department, came here from Washington to-day and had an interview with the Mayor and Police Commissioners. It is understood that the object of the visit was to inform himself as to the condition of affairs in this city.

OPINION OF REVERDY JOHNSON.

Reverly Johnson, in answer to the question whether Gov. Swann had the power to remove the Police Commissioners, has written a letter in which he says:

The words of the law are so plain as to admit of but one construction. The duries of the Board are prescribed, and to guard against failure to perform them the contingency that might happen), the law says. 'for official misconduct, any of the said Commissioners may be removed by a concurrent vote of the two Houses of the General Assembly, or by the Governor during the recess thereot.'

This is the only provision on the subject. The offense guarded against is 'official misconduct.' The penalty for it is not fine or imprisonment, but removal from office alone, and the authority to investigate all the facts and enforce the penalty is, if in session, the General Assembly, if not in session, the Governor. There being now a legislative recess the jurisdiction and the power to hward the penalty is in the Governor. There being now a legislative recess the jurisdiction and the power to hward the penalty is in the Governor. It is suggested, I am told, that before he can remove the Commissioners the fact of their official misconduct must be tried by a court and jury. This is abound.

First: Because the Governor, who can alone render the judgment of removal, has devolved upon him the entire responsibility, and, that being so, it must be for him exclusively to investigate and decide the fact, and not avoid responsibility by referring it to the courts.

Third. Because he has no right to call upon a court or jury to sesis him, and no one else has such right.

Fourth: Ilecause he has no right to call upon a court er jury to sesis him,

PROCLAMATION OF GOV. SWAN,

and we expect to receive the support and approval of all le

to-unstain him in enforcing their removal, should it be determined on and resisted.

The Commissioners will deny the power of the Governor to act in the premises, and will not appear at Annapolis to-morrow in person. It is understood, however, that they will be represented by counsel, who will protest in their name against the proceedings. If this conspiracy could be carried out there is no doubt but that Maryland would be carried against the Union party in every Department of the State Government, and that the present loyal Representatives and Senators in Congress would be succeeded by men in active sympathy with the South. Gov. Swann is himself a candidate for the Senatorship, in place of Mr. Creswell, and it is his ambition for this position which has caused his desertion of the loyal men who elected him to his present office.

The petition for the removal of the Commissioners was presented by a man who, in his speech upon the occasion, avowed himself a sympathizer with the Rebellion, and is numerously signed by others who were known during the war as active and malignant enemies of the Republic. If they can secure the removal of the present Judges of Election every Rebel sympathizer whose name has been placed upon the registry will be allowed to vote, although it is made the express duty of the Judges to exclude such votes from the hallot-box. Among those who have taken the iron-clad oath is the President of the Legislature which met at Prederick in 1861, and tried to take the State out of the Union, who was arrested by McClellan at tima time and imprisoned in Fort McHenry. Another was allowed to register, who stated at the time that he was one of those who fired upon the 6th Massachusetts Regiment on the 19th of April. These are specimens of the fairness with which Gov. Swann's Registrars have discharged their duty, and it is understood that the same course has been pursued throughout the State. The only safe-guard now against illegal voting is in the Judges of Election, and those once secured in this city

Creswell. It will be seen that the stake is worth striving for and if the Governor's courage can be raised and maintained at the requisite pitch there is no doubt but that an attempt will be made to carry out the programme.

There seems, however, to be but one sentiment and determination among the loyal Union voters, and that is to resist to the last extremity any such attempt. They say that the Police Commissioners have done nothing that can be construed into a reasonable cause for removal, and that such action on the part of the Governor would be an outrage which they would be justified in using force to resist. It is of the utmost consequence that Maryland should be kept in the Union ranks and under loyal control in view of possible future complications, and they mean to maintain their ascendancy unless fairly voted down under the Constitution.

in view of possible future complications, and they mean to maintain their ascendancy unless fairly voted down under the Constitution.

Meetings are nightly held in various parts of the city by both parties, to organize the forces for a possible conflict. The "Boys in Blue" are very active, and there was a full and enthusiastic meeting at their headquarters last evening, at which reports were made from each Ward of the number who could be relied upon to sustain the Commissioners against any illegal action of the Governor. The meeting was a private one, and the result of the canvass is not made public, but it is known to have been highly satisfactory. They are determined not to be put down, and, in case of necessity, will appeal to the loyal citizens of the North for aid. The Rebels threaten to bring the power of the General Government against them, and think they can rely upon the army of the United States to aid in carrying out their behests. Your reader are already aware that yesterday Gov. Swann visited the President, and had a long interview with him. What the result of that interview was has not transpired here as yet, but from the fact that there is a perceptible toning down of the pretensions of the opposition, it is believed that the President hexisties to precipitate civil war upon the State.

It is understood that an offer has been made to compromise the matter, withdraw the charges against to Commissioners, and abandon The prosecution, if they will appoint an opposition Judge and Clerk at each Precinet in place of one of each of those now holding the appointment. It is not probable that this offer with be accepted, but it shows the weakness of the movement against the Commissioners, and is a confession of the lack of foundation of action against them.

It is reported on very good authority to-day that the

POLITICAL RIOT AT HAGERSTOWN, MD.

ONE MAN KILLED AND TWO SERIOUSLY WOUNDED.

BALTIMORE, Oct. 22.—Gov. Swann's proclamation seems to be aimed at the loyal leagues and at toe boys in blue. At a riot at Hagerstown on Saturday, occasioned by Johnsonite attacking a Union meeting, one man, a Rebel sympathizer, was killed, and two men were mortally wounded, and three men and two women slightly. Rebel sympathizers fired on Unionists from a house, which was gutted, and a large number of arms found therein. The Mayor of Hagerstown and the police force are Johnsonites.

are Johnsonites.

At a Johnson meeting at Westminster, on Saturday, which was addressed by Gov. Parsons, of Alabama, and others of that persuasion, cheers were given for Jeff. Davis and Johnson.

Davis and Johnson.

The policy men attacked a Unionist named Bell, when he fired upon and wounded four of them. The crowd afterward attempted to take Bell from jail in order to hang him, but were foiled by Unionists.

OUR CHRISTIAN DUTY TO THE SOUTH.

Major-Gen. O. O. Howard lectured before the come Men's Christian Association of Brooklyn last night on Our Christian Duty toward the South," at the Academy of

"I am a Sultiger's man." I know that. I requise, "for you evidently live in the South: but on repecting my question I received the same answer. I am a Southern man." I then learned for the first time that in that region the phrase Southern man meant Secessionist. The tert. 3 Southern people, as it is used in the South excidude the negre population and Northern men, excluding all classes in the same expression. To avoid ambignity we will understand by South and Southern people fine inhabitants of the insurrectionary States. By avoiding a misuse of these terms much misunderstanding and possibly ill feeling will be prevented. I therefore propose the following classification of this term South or Southern people. First, those men who engaged heartily in the war, but who now give up fully the institution of Savery and its contents, and are solicitous to exhibit their unquisified allegiance to the Government. Second, a large class who at first pretended that they gave up the points of contention, that they surrendered State supremacy—which Mr. Greeley calls State ounipotency—Secosion and Stavery, but who are now really making every effort to secure the power necessary to recistablish it or something equivalent. Third, a class that have ever been and still are unconditional Union men or Union people. My friends, it has been my privilege to meet several of the first class of these men, viz. such as have resumed their allegiance to the Government of the United States. You can recognize them by certain unmistakable tests. They are not seeking public offices; they are working upon their farms or at their trades or other callings. They exhibit a wonderful degree of what you would call good common sense, practical sense. Letting the dead past alone, they are trying to conform to the necessities and wholesome lessons of the present. Mostly poor, or what they deem poor at the close of the war, they are striving to better their fortunes. When they employ the negre they favor the extension to him of the rights and privileges th embed demand, and my impression is that it a spite of the more numerous executions the fact of the more state of the control of the more state of the control of the contro

MEXICO.

EXPECTED ATTACK ON MATAMOROS-CANALES ON THE AMERICAN SIDE.

GALVESTON, Texas, Oct. 22.—Files of the Rio Grande papers to the I7th have been received. Cortinas is master of the situation. It is nightly expected that he will attack Matamoros. Canales, with an escort of 10 men, was allowed to cross to the American side, where he explained the firing on an American boat to the commander of the port. Cortina has given notice to the American commander, Col. Sedgwick, that he intended to attack Matamoras. Cortina has exacted a duty of 40 per cent on hides and skins.

The Montersy gang of 30 men called the American Brigadewere committing great devastatigs.

GEORGIA.

MARINE DISASTERS-GOV. ORR, S. C., DOES NOT FAVOR

MARINE DISANTERS—GOV. ORR, S. C., DOES NOT PAVOR THE CONSTITUTIONAL AMENUMENT.

AUGUSTA, Ga., Oct. 22.—The schooner William Gregory, from Cardenas for Boston, put into Savannah in distress. She picked up several trunks containing the clothing of operatic performers. Letters were also found addressed to Miss Millie Powler.

The steamer Kate reports spoke brig, supposed to be the Stevens, bound to Jacksonville, Fla., which went ashore on the South breakers, and will prove a total loss. District meetings are being held in South Carolina to urge the Legislature to call a Convention to provide for the pecuniary distress of the people by preventing the sale of property for debt.

A Greenville (S. C.) paper denies that Gov. Orr favors the Constitutional Amendment.

THE COHOES FAILURE.

PRICE FOUR CENTS.

EUROPE.

NEWS BY THE ATLANTIC CABLE TO OCT. 22.

VIENNA, Monday, Oct. 22, 1866

A steamer will sail from Trieste for Mexico forthwith, by express order of the Emperor Francis Joseph.

HAMBURG, Monday, Oct 22, 1866

The United States iron-clad Miantonomah, and the other vessels of the American Fleet are at Hamburg. The officers, on Saturday, will be the guests of a grand banquet prepared by the municipal authorities of this

THE ROMAN QUESTION.

MADRID, Monday, Oct. 22, 1866.

Spain has announced her intention to uphold the temporal power of the Pope after the French forces

PRUSSIA AND SAXONY.

BERLIN, Monday, Oct. 22, 1866. The Prusso-Saxon treaty of peace was finally

FLORENCE, Monday, Oct. 22, 1866. The plebiscitum of Venetia has resulted in nearly a

LIVERPOOL. Oct. 22 .- The steamships Erin and New-York, both from New-York, October 6, arrived out on

LIVERPOOL, Oct. 22-Evening.-The ship Daniel Webster,

LIVERPOOL, Monday, Oct. 22.-The Cotton Market stendy, with sales to-day of 13,000 bales. Middling Uplands

LIVERPOOL, Oct. 23-Evening.-The market for Tailow

MONEY MARKET.

Consols for money, 894.

LONDON, Oct. 22, evening.—The Money Market is slighti

AMERICAN SECURITIES. The following are the current prices for American securit.

The following are the closing prices of American securities: Erie, 501: Illinois Central. 782: Five-Twenties, 69.

HALIFAX, Oct. 22 .- The steamship China, Capt. Herkley, from Liverpool 11 a. m. Oct. 13, and Queenstown 14th arrived at this port at 3 a. m. to-day. She has 31 paisengers to

The China had fair weather. She brings £80,000 sterling. She sailed for Boston at 11 o clock. The news brought by the China is unimportant and meager.

THE CASE OF THE STEAMER TORNADO-ADVICE OF THE

the most massive character.
THE NORTH AMERICAN FROVINGES AND THE CONFADERATION.
The delegates at present in England from the British North American Colonies had been entertained at a banquet by the British North American Association. Most of the speakers serongly in favor of the Confederation scheme. Earl Carnaryan, Secretary of the Colonies, declined, however, to commit himself on the subject. He promised the matter should have the full and careful attention of the Government.

THE EMPEROR.

THE EMPEROR.

The Emperor continued at Biarritz. He had reviewed the troops stationed at Bayonne.

FINANCIAL.

The Bourse was firm, closing at 68:90. The weekly returns of the Bank of France show a decrease in cash of over 22,000,000 panes.

ITALY.

THE TREATY WITH AUSTRIA—THE QUADRILATERAL OCCUPIED BY THE ITALIANS.

A summary is published of the treaty of peace between Austria and Italy. It contains no points of moment beyond what have airoady been published. Ratifications were exchanged on the 12th at Vienna. The Italians had completely occupied Peschiera, Mantua and Borgotorte.

IIBREATION OF POLITICAL PRISONERS.

At the request of Gen. Revel all the political prisoners in Venice were set at liberty on the 11th.

ARRISTS AT PALLEMO.

A large number of aircests were reported to have been made at Palermo of persons compromised by the recent disturbances. TRIALO FADMIAL PERSANO.

The Italian Senate had been convoked, and was holding secret sessions for the trial of Admirni Fersano.

LOSS OF TROOPS AT PALERMO.

It has been officially stated that the lossof the Italian troops at Palermo during the riots amounted to 366 killed and wounded.

THE BALTIMORE CATHOLIC COUNCIL.

A telegram from Rome, dated Oct. 11. says: "A dispatch, dated Beltimore Oct. 2 has been freed a council

A telegram from Reme, dated Oct. 11 says: "A di-dated Baltimore, Oct. 9, has been received here from a -of seven Archbishope and forty Bishops, in which they the Pope, and express wishes for the preservation of the rights of the Holy Sec."

VENETIA.

unanimous vote for union with Italy. MARINE INTELLIGENCE.

Damascus from Quebec, October 6, arrived out to-day. from London for New-York, has put into Queenstown dis

> FINANCIAL AND COMMERCIAL. LIVERPOOL COTTON MARKET.

Livenroot, Oct. 22-Evening,-The Cotton market changed; Middling Uplands, 151d.

LONDON, Monday, Oct. 22.-The Money Market is quie

Eries, 501; Illinois Centrals, 784; United States 5-20s, 69.

THE STRAMER TORNADO—ADVICE OF THE PRENCH GOVERNMENT.

It is stated that in the case of the British steamer formado seized by Spain, the French Government has advised not of Madrid to admit their mistake in seizing the vessel, to dennify the owners and crew, and make the most ample polocy.

FRANCE.

THE TREATY WITH AUSTRIA--- THE QUADRILATERAL